

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE:	§	CASE NO. 17-52085-rbk
	§	
3-D WILDLIFE, INC.	§	
dba Hips Archery Targets fdba	§	
Stanley Hips & Longhorn Targets	§	
	§	
DEBTOR.	§	CHAPTER 7 PROCEEDING

TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF DEBTOR-FREE & CLEAR  
OF ALL LIENS AND INTERESTS (WITH 21-DAY LANGUAGE)

**This pleading requests relief that may be adverse to your interests.**

**If no timely response is filed within twenty-one (21) days from the date of service, the relief requested herein may be granted without a hearing being held.**

**A timely filed response is necessary for a hearing to be held.**

NOW COMES RANDOLPH N. OSHEROW, the Chapter 7 Trustee ("Trustee") of the bankruptcy estate of 3D Wildlife, Inc., dba, Hips Archery Targets fdba Stanley Hips & Longhorn Targets, and files his Motion to Sell Personal Property-Free and Clear of all Liens and Interests-all Debtors corporate and intellectual property rights, including but not limited to debtor's (1) trademarks, (2) designs and specifications for any targets, (3) CAD's (computer-aided design drawings) for targets and (4) plans. The Trustee would show the Court the following:

1. On 9/1/17, a voluntary petition was filed initiating this case under Chapter 7 of the Bankruptcy Code; Randolph N. Osherow was appointed Trustee of Debtors' Bankruptcy Estate and continues to act in that capacity.

I. REAL PROPERTY TO BE SOLD

2. The property of the estate to be sold by this Motion is Debtor's interest, if any, in the property described as follows: all Debtors corporate and intellectual property rights, including but not limited to debtor's (1) trademarks, (2) designs and specifications for any targets, (3)

A copy of the proposed Order attached as  
Exhibit "A".

CAD's (computer-aided design drawings) for targets and (4) plans. Said personal properties are to be sold AS IS and WHERE IS for \$5000.00 to AFP, Inc., without any warranties, including as to title, the Trustee does not know if these assets exist. The Trustee shall have no responsibility to marshal and/or deliver these assets, if they exist, to the Purchaser.

## II. TRUSTEE'S ESTIMATED VALUE AND BASIS THEREOF

4. The Debtor listed no intellectual property on their schedules and the Trustee is making no representations concerning these assets, even if they exist.

## III. MARKETING OF SAID REAL PROPERTY

5. All the Debtor's creditors have been served with this Motion to Sell Personal Property of Debtors; however, it makes no sense to try to market an asset that may or may not exist.

## IV. TAX CONSEQUENCES

6. The Trustee believes there are no tax consequences to this sale. The maximum tax gain is approximately 20% of the gross sales price.

## V. LIENS

7. The Trustee knows of no liens on the property.

## VI. ESTIMATED COST OF SALE AND NET TO THE ESTATE

8. The estimated net to the general (administrative, priority and unsecured) creditors is approximately \$5,000.00.

9. It is the Trustee's position that a sale in this manner is in the best interest of the estate and will net the estate the most money for distribution to creditors. A copy of this Motion is being forwarded to all creditors in accordance with Local Rule 9014.

WHEREFORE, PREMISES CONSIDERED, Trustee prays this Court enter an Order authorizing him to sell the personal property described herein and authorizing the Trustee to execute the documents necessary to effectuate the sale of the property, and that such order be

entered after twenty-one (21) days, unless an objection is timely filed in accordance with Rule 9014.

Respectfully submitted this 20 day of October, 2017.

/s/ Randolph N. Osherow

RANDOLPH N. OSHEROW, Chapter 7 Trustee  
342 West Woodlawn, Suite 100  
San Antonio, Texas 78212  
rosherow@hotmail.com

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ORDER AUTHORIZING TRUSTEE TO SELL DEBTOR'S PERSONAL PROPERTY-  
FREE AND CLEAR OF ALL LIENS AND INTERESTS

On the day this Order was signed, came to be considered by the United States Bankruptcy Judge, the Trustee's Motion to Sell Personal Property of Debtor-Debtor's personal property described as follows:

All Debtors corporate and intellectual property rights, including but not limited to debtor's (1) trademarks, (2) designs and specifications for any targets, (3) CAD's (computer-aided design drawings) for targets and (4) plans

- Free and Clear of All Liens and Interests. The Court having considered the Motion finds that it has merit and should be granted. It is, therefore,

ORDERED, ADJUDGED, and DECREED that the Trustee is hereby authorized to sell the personal property described as follows to AFP, Inc. for \$5000.00: all Debtors corporate and intellectual property rights, including but not limited to debtor's (1) trademarks, (2) designs and

**EXHIBIT "A"**

specifications for any targets, (3) CAD's (computer-aided design drawings) for targets and (4) plans. The Trustee shall have no obligation to marshal or deliver these assets to the Purchaser.

It is further

ORDERED, ADJUDGED, and DECREED that the sale of the foregoing property shall be free and clear of all liens and interests, valid and invalid, and the same is hereby approved and affirmed. It is further

# # #

RANDOLPH N. OSHEROW  
Chapter 7 Trustee  
342 W Woodlawn, #100  
San Antonio, TX 78212  
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Telf. (210) 738-3001 ext 212

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CERTIFICATE OF MAILING

The undersigned hereby certifies that a true and correct copy of TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY was served upon the following parties in interest by U.S. first class mail, postage prepaid this 20 day of October, 2017:

3-D Wildlife  
8115 FM 2673  
Canyon Lake, TX 78133  
**Debtor(s)**

Morris E. "Trey" White, III  
Villa & White, LLP  
1100 NW Loop 410, Suite 700  
San Antonio, TX 78213

**Counsel for Debtor(s)**

U.S. Trustee  
PO Box 1539  
San Antonio, TX 78295

AFP, Inc.  
c/o David J. Attwood  
Savrick Schumann  
4330 Gaines Ranch Rd.  
Suite 150  
Austin, TX 78735

**Purchaser**

SEE ATTACHED MATRIX FOR A LIST OF ALL PARTIES SERVED WITH NOTICE.

/s/ Randolph N. Osherow  
RANDOLPH N. OSHEROW, Chapter 7 Trustee  
342 West Woodlawn, Suite 100  
San Antonio, Texas 78212  
(210) 738-3001 - Telephone  
rosherow@hotmail.com

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

AFP Engineered Packing Solutions  
2933 A.W. Grimes Blvd  
Pflugerville, TX 78660-5292

AFP, Incorporated  
David A. Buono II, Attorney At Law  
4330 Gaines Ranch Loop, Suite 150  
Austin, TX 78735-6758

AFT, Incorporated  
c/o David A. Buono, II  
4330 Gaines Ranch Loop, Ste 150  
Austin, TX 78735-6758

American Express Bank, FSB  
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